

REMARKS

Claims 1-13, 17-18, 19-30, 35-47, and 52-55 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2002/0143994 to Sun et al. ("Sun") in view of U.S. Patent Publication No. 2002/0130904 to Becker et al. ("Becker").

Claims 14-17, 31-34, and 48-51 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Sun in view of Becker, and further in view of U.S. Patent No. 6,779,178 to Lloyd et al. ("Lloyd").

Claims 1-55 remain pending.

Rejection of Claims 1-13, 17-18, 19-30, 35-47, and 52-55 under 35 U.S.C. §103(a)

With respect to claim 1, 19, 36, and 53, the Office Action states that Sun discloses all of Applicants' recited elements (on pgs 3-4, paragraph 29) except the messaging service distributing said annotated message in said recording to other user, which Becker allegedly discloses. Further, in response to Applicants' previous arguments, the Examiner states that Sun's invention addresses incorporating the ink data into the chat system (pg 3, paragraphs 26-27). Applicants submit that the Examiner has misinterpreted Sun.

Independent claim 1 has been amended to point out more clearly what the Applicants' regard as the invention. Support for the claim amendment can be found, at least, on page 7, line 27 to page 10, line 13, and in Figs. 2, 3, and 4 of the originally filed specification.

Amended independent claim 1 recites a method for annotating instant text messages in an instant messaging system for communication within an interconnected network of computers. The method includes establishing by at least some of the network of computers a connection to the

instant messaging system. The method further includes providing to a plurality of users by the instant messaging system a graphical user interface including a recording field, and displaying in the recording field for viewing by said users a chat record including one or more instant text messages from a currently ongoing instant text messaging session. The method further includes directly inputting handwritten stroke information message objects anywhere within the recording field to thereby annotate the one or more instant text messages in the chat record, and distributing by the instant messaging system the annotated one or more instant text messages for viewing by the plurality of users in the recording field.

In contrast, Sun discloses a method and apparatus for implementing ink data communication between multiple parties using computing and/or communication devices on a network. Specifically, Sun discloses an electronic chat system including a hardware interface layer for receiving raw ink data from an input device, an ink management layer for processing the raw ink data into a form useable by a chat interface layer, and a network interface layer for transferring the processed ink data across a network to a chat interface layer on a remote computer.

The passages cited on page 3, paragraphs 26-27 of Sun describe how Sun's invention is intended to expand the current chat and instant messaging infrastructure to allow users to communicate with ink data obtained by a graphical or handwriting input device, such as a touch screen, a digitizer, an electronic tablet, a mouse, light pen, etc. Various methods of capturing ink data are discussed. Further, Sun generally mentions that ink data format is well suited for integration with an instant message or chat infrastructure.

Sun does not at all mention integrating ink data with an instant messaging or chat system in such a way that allows a user to directly input ink data into an ongoing instant messaging or

chat session and thereby annotate the instant messaging or chat session. In fact, no particular integration scheme is discussed.

The passages cited on pages 3-4, paragraph 29 of Sun discuss processing ink data, transferring the ink data to a network, and transferring the ink data to a messaging layer. A portion of the text cited in Sun reads as follows.

“Once a network transportable form of the processed ink data is produced by network interface layer, the network transportable ink data is transferred to a messaging layer such as instant messaging (IM) interface layer. Interface layer provides the conventional system infrastructure for transferring instant messages between two users on a computer network. The invention augments the conventional instant messaging interface layer to include the transport of the processed ink data using the conventional instant messaging infrastructure. In this manner, a user at one network location with an input device that produces ink data may transport the ink data through the instant messaging infrastructure to a remote network user”.

The cited passage further reads, “...interface layer may also be an interface layer implementing chat functionality. In this embodiment, the network interface layer would provide processed ink data to a chat interface layer, which would transmit the processed ink data to other recipients of messages during a particular chat session.”

Nothing in the text cited in Sun teaches or suggests a method for annotating instant text messages in an instant messaging system for communication within an interconnected network of computers, where the method includes directly inputting handwritten stroke information message objects anywhere within the recording field to thereby annotate the messages where the messaging system distributes the annotated messages in the recording field to other users. The text cited in

Sun only teaches sending ink data (that is entered using a conventional ink capturing device) over an instant messaging or chat infrastructure.

Applicants' invention teaches providing an instant messaging or chat tool where the user can input typed text or ink together directly in the instant messaging or chat window. The ink is used to augment and/or annotate the typed text of the instant messaging or chat session (see Fig. 2). The messaging system includes a private ink (preview) area (Fig. 3, element 15) where the user can input ink that is subsequently transmitted to, and displayed in, the public recording field (1), during the instant messaging or chat session (see page 6, line 26 to page 7, line 14 of the specification). Further, the user can annotate the recorded instant messaging session with ink by inputting ink (stroke information) directly into the recording field (1) (see page 9, lines 18-20). The annotations entered into the recording field (1) by the user are immediately distributed to the other users for viewing in their respective recording fields (1) (see page 9, line 29 to page 10, line 13).

Sun only discloses transmitting ink data through instant messaging or chat infrastructures. Nothing is taught or suggested in Sun regarding entering ink (stroke information) directly into an ongoing instant messaging or chat session (via the instant messaging or chat window) for annotating a message for immediate viewing by other users. Sun specifically discusses entering ink data using conventional stroke information capturing devices and then transmitting the ink data separately via the instant messaging or chat infrastructures to other users. Nothing is mentioned about integrating the ink data directly with the instant messaging or chat session text.

Further in contrast, Becker discloses a graphical user interface that displays a unique graphical indexing element such as a tab for each engaged and non-engaged messaging session. A user chooses which messaging session to make engaged by selecting its graphical indexing.

element. The graphical indexing elements have various distinctive characteristics to indicate the status of their respective messaging sessions, such as engaged, non-engaged with no unread messages, or non-engaged with at least one unread message. The messaging sessions may all be docked, in which event the engaged messaging session is displayed in a window pane set and the other messaging sessions are not displayed, or may be selectively undocked, in which event the engaged messaging session and the undocked messaging sessions are displayed in respective window pane sets. The engaged window pane set supports the communication of original or predefined messages between the user's digital device and the pal's messaging-enabled digital device, regardless of capability. Becker does not teach or suggest a method for annotating instant text messages in an instant messaging system for communication within an interconnected network of computers.

In view of the foregoing, it is respectfully submitted that Sun and Becker, whether taken alone or in combination, do not teach or suggest the subject matter recited in Applicant's independent claim 1.

Independent claims 19, 36, and 53 have been amended to recite limitations similar to those recited in independent claim 1, and are therefore patentably distinct over Chan for at least those reasons provided for independent claim 1.

Claims 2-13, 17-18, 20-30, 35, 37-47, 52, and 54-55, which depend directly or indirectly from the independent claims 1, 19, 36, and 53 incorporate all of the limitations of the independent claims 1, 19, 36, and 53 and are therefore patentably distinct over Chan for at least those reasons provided for claims 1, 19, 36, and 53.

Rejection of Claims 14-17, 31-34, and 48-51 under 35 U.S.C. §103(a)

With respect to dependent claims 14-17, 31-34, and 48-51, the Office Action states that Sun, Becker, and Lloyd, taken together, disclose all of Applicants' recited elements.

As previously discussed, Sun and Becker, whether taken alone or in combination, do not teach or suggest the subject matter recited in Applicant's independent claims 1, 19, and 36.

Further, because Sun and Becker do not teach or suggest the subject matter recited in independent claims 1, 19, and 36, and because Lloyd does not teach or suggest the elements of claims 1, 19, and 36 that Sun and Becker are missing, Lloyd is irrelevant.

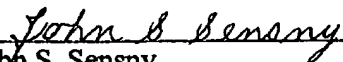
In view of the foregoing, it is respectfully submitted that Sun, Becker, and Lloyd, whether taken alone or in combination, do not teach or suggest the subject matter recited in claims 1, 19, and 36.

Claims 14-17, 31-34, and 48-51, which depend directly or indirectly from the independent claims 1, 19, and 36 incorporate all of the limitations of the corresponding independent claims and are therefore patentably distinct over Sun, Becker, and Lloyd for at least those reasons provided for independent claims 1, 19, and 36.

Conclusion

In view of the foregoing, applicants respectfully requests reconsideration, withdrawal of all rejections, and allowance of all pending claims in due course.

Respectfully submitted,


John S. Sensny
Registration No. 28,757

SCULLY, SCOTT, MURPHY & PRESSER P.C.
400 Garden City Plaza
Suite 300
Garden City, New York 11530
(516) 742-4343

JS:BMM:ej